

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

MARIO N. BAKER,

Plaintiff,

v.

Civil Action No. 3:12CV674

UNITED STATES OF AMERICA,

Defendant.

**MEMORANDUM OPINION**

By Memorandum Order entered on September 18, 2012, the Court conditionally docketed the action. Mario N. Baker requested leave to proceed in forma pauperis. By Memorandum Order entered on November 6, 2012, the Court directed Baker to pay an initial partial filing fee of \$34.81 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. See 28 U.S.C. § 1915(b)(1). Baker has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Baker is not entitled to proceed in forma pauperis. Baker's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum  
Opinion to Baker.

/s/ REP  
Robert E. Payne  
Senior United States District Judge

Date: *March 4, 2017*  
Richmond, Virginia